<u>REMARKS</u>

This application has been carefully reviewed in light of the Office Action dated August 19, 2008. Claims 1, 2, and 6 to 10 are in the application, with new Claims 9 and 10 having been added. Claims 1 and 2 are the independent claims. Reconsideration and further examination are respectfully requested.

Claims 1, 2 and 6 to 8 were rejected under 35 U.S.C. § 102 (b) over U.S. Publication No. 2002/0116510 (Bacso), and Claims 7 and 8 were rejected under 35 U.S.C. § 103 (a) over Basco in view of U.S. Patent No. 5,721,829 (Dunn). Reconsideration and withdrawal of the rejections are respectfully requested.

The present invention relates to switching a television receiver between decoding streaming data and decoding a broadcast event (e.g., a commercial message or news). Specifically, in the invention, a streaming content selection program is broadcast, whereby a user can select a video to receive via streaming over the Internet. When the user selects a video to be viewed, the streaming of the video is started and a decoder of the television receiver decodes the streaming data so that it can be displayed on a display. While the streaming video is being decoded and displayed, if an event program is received (triggered by an event message, such as a start message) with the broadcast data, the streaming is interrupted, and the decoder switches from decoding the streaming data to decoding the broadcast data (event program). Then, when another event message is received (e.g., indicating the end of the event program), the decoder switches back and the streaming video continues. In this manner, both viewers of the broadcast data and viewers of the streaming data will be provided with the same event program based on the event message included in the broadcast data.

Referring specifically to the claims, amended independent Claim 1 is directed to a television receiving apparatus that receives data via a plurality of types of transmission media and that switches between the plurality of transmission media, comprising a first data receiving unit that receives communication data in accordance with an Internet communication protocol via the Internet from an external device, a second data receiving unit that receives broadcast data via a broadcast network from a broadcast station, wherein the broadcast data includes event program data accompanied by a plurality of event messages, a decoder that decodes, in accordance with a first decoding method, the communication data received via the Internet by the first data receiving unit and that decodes, in accordance with a second decoding method, the broadcast data received by the second data receiving unit, wherein the first decoding method and the second decoding method are different from one another, a display control unit that, when the decoder decodes the communication data received via the Internet, controls to display the decoded communication data on a display, and when the decoder decodes the broadcast data received from the broadcast station, controls to display the received broadcast data on the display, a memory unit that stores the event program data received by the second data receiving unit, and a control unit that, when the decoder is decoding the communication data received via the Internet in accordance with the first decoding method, and a first event message that accompanies the event program data is received by the second receiving unit, switches the decoder in response to the first event message from decoding the communication data to decoding the event program data in the received broadcast data to read the event program data from the memory unit so as to display the event program by the display control unit on the display, and when a second event message that accompanies

the event program data is received by the second receiving unit, switches the decoder in response to the second event message from decoding the event program data to decoding the communication data received via the Internet so that the decoded communication data is displayed by the display control unit on the display.

Claim 2 is a method claim that substantially corresponds to Claim 1.

The applied art of Basco is not seen to disclose or to suggest the features of the invention, and in particular, is not seen to disclose or to suggest at least the features of a television receiving apparatus i) receiving by a first receiving unit communication data in accordance with an Internet communication protocol via the Internet from an external device, and receiving by a second receiving unit broadcast data via a broadcast network from a broadcast station, wherein the broadcast data includes event program data accompanied by a plurality of event messages, and ii) controlling a decoder to, when the decoder is decoding the communication data received via the Internet in accordance with a first decoding method, and a first event message that accompanies the event program data is received by the second receiving unit, switch the decoder in response to the first event message from decoding the communication data to decoding the event program data in the received broadcast data to read the event program data from a memory unit so as to display the event program by the display control unit on the display, and when a second event message that accompanies the event program data is received by the second receiving unit, to switch the decoder in response to the second event message from decoding the event program data to decoding the communication data received via the Internet so that the decoded communication data is displayed by the display control unit on the display.

Basco is merely seen to switch between two content streams for the purposes of providing an advertisement. That is, while a streaming program is being viewed, it can be interrupted by another streaming program that includes an advertisement so that the advertisement can be viewed. Applicants fail to see where Basco interrupts streaming content based on an event message received in broadcast data so that a decoder can switch decoding methods between decoding streaming data to decoding broadcast data and vice versa. Thus, Basco is not seen to disclose or to suggest at least the features of a television receiving apparatus i) receiving by a first receiving unit communication data in accordance with an Internet communication protocol via the Internet from an external device, and receiving by a second receiving unit broadcast data via a broadcast network from a broadcast station, wherein the broadcast data includes event program data accompanied by a plurality of event messages, and ii) controlling a decoder to, when the decoder is decoding the communication data received via the Internet in accordance with a first decoding method, and a first event message that accompanies the event program data is received by the second receiving unit, switch the decoder in response to the first event message from decoding the communication data to decoding the event program data in the received broadcast data to read the event program data from a memory unit so as to display the event program by the display control unit on the display, and when a second event message that accompanies the event program data is received by the second receiving unit, to switch the decoder in response to the second event message from decoding the event program data to decoding the communication data received via the Internet so that the decoded communication data is displayed by the display control unit on the display.

Accordingly, amended independent Claims 1 and 2, as well as the claims dependent therefrom, are believed to be allowable over Basco.

No other matters having been raised, the entire application is believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/Edward Kmett/

_____

Edward A. Kmett
Attorney for Applicants
Registration No.: 42,746

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York  10112-3800
Facsimile:  (212) 218-2200